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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Martucci, et al.

Serial No.: 10/663,317

Group Art Unit: 1772

Filed: 09-15-2003

Examiner: RAYFORD, Sandra M.

For: CORRUGATED HOSE ASSEMBLY

Attorney Docket No: 0153.00095

RESPONSE

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action dated May 24, 2005, Paper Number 20050520.

Restriction to one of the following Groups was required under 35 USC §121:

I. Claims 1-13, drawn to two-layer hoses, classified in class 428, subclass 421;

II. Claims 14-21, drawn to methods of making hoses, classified in class 264, subclass (unknown); and

III. Claims 22-23, drawn to one-layer hoses, classified in class 428, subclass 35.7.

Applicants provisionally elect Group II, claims 14-21 for prosecution purposes, with traverse. Applicants hereby conditionally withdraw claims 1-13 and 22-23 from prosecution, without prejudice, and request reconsideration of the restriction requirement.

Applicants traverse the restriction requirement based on the following grounds. It is respectfully submitted that the restriction requirement practice was established to promote efficiency of prosecution in the Patent Office. All groups of claims relate to hoses and as such could be examined efficiently in a single application. It is respectfully submitted that examination of all of the claims in a single application would be efficient, thereby promoting the grounds for the establishment of the restriction requirement practice. Hence, it is respectfully submitted that restriction should not be required and that Applicants have traversed the restriction requirement. However, as stated above, Applicants elect the claims of Group II and provisionally withdraw claims 1-13 and 22-23, without prejudice, pending reconsideration of the restriction requirement.

The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 11-1449.



U.S.S.N. Number: 10/663,317  
Attorney Docket No.: 0153.00095

The application is now in condition for allowance, which allowance is respectfully solicited.

Respectfully submitted,

KOHN & ASSOCIATES, PLLC

Amy E. Rinaldo, Reg. No. 45,791  
30500 Northwestern Highway, Suite 410  
Farmington Hills, Michigan 48334  
(248) 539-5050

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

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Date of Deposit: June 23, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Marie M. Lally

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